

Applicant intends this response to be a complete response to the Examiner's **19 March 2003** Non-Final Office Action. Applicant has labeled the paragraphs in his response to correspond to the paragraph labeling in the Office Action for the convenience of the Examiner.

Election/Restriction

1-5. Applicant expressly adopted the election requirement made telephonically. The inventorship is the same on all claims.

Rejections Under 35 U.S.C. §112, ¶2

6. **Claim 4** stand rejected under 35 U.S.C. § 112, ¶2 as being indefinite. Applicants traverse and respectfully request reconsideration based on the above claim amendments, if any, and the remarks presented herein.

The misspelled word has been corrected, and, Applicants, therefore, respectfully request withdrawal of this section 112, ¶2 rejection.

Rejections Under 35 U.S.C. §102

8. **Claims 1-10 and 19-20** stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yamaguchi et al and under 35 U.S.C. § 102(a) as being anticipated by Gnanasambandam et al. Applicants traverse and respectfully request reconsideration based on the above claim amendments, if any, and the remarks presented herein.

The Examiner contends as follows:

Either one of Yamaguchi et al or Gnanasambandam et al disclose a petinaceous material prepared from soybean hulls, and absent a showing otherwise, it is considered inherent that same would exhibit the characteristics called for in the instant claims. It should be further noted that Gnanasambandam et al further discloses food products employing said pectin. As for Yamaguchi et al, it is considered inherent that same would be employed in food products.

Applicants hereby submit evidence to antedate the Gnanasambandam article which is based on the work of the inventors. Applicants filled an original provisional application covering a major portion of this application bearing serial number 60/134652 filed May 18, 1999 based on a university invention disclosure statement received on 23 November 1998.

Moreover, the present invention is not rendered obvious in view of Yamaguchi et al. because Yamaguchi et al. do not disclose, teach or suggest extracting pectin from hulls and hypocotyls that has such a different compositional make up to the Yamaguchi et al. product.

One claim in excess of the 20 allowed claims has been added. The Director of Patents is authorized to charge Deposit Account 501518 for the \$9.00 additional claims fee or any other underpayment or the credit the Deposit Account for any overpayment.

Having fully responded to the Examiner's Non-Final Office Action, Applicant respectfully urges that is application be passed onto allowance.

If it would be of assistance in resolving any issues in this application, the Examiner is kindly invited to contact applicant's attorney Robert W. Strozier at 713.977.7000

Date: May 7, 2003

Respectfully submitted,



Robert W. Strozier
Reg. No. 34,024